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DIV OF WQ

OPINION

April 26, 2021

Mr. Peter Wax  
Dep't of Environmental Quality  
Division of Water Quality  
918 E. Divide Avenue  
Bismarck, ND 58501-1947

Dear Mr. Wax,

The Office of Attorney General has examined the proposed amendments to N.D.A.C. ch. 33.1-16-02.1 concerning the standards of quality for waters of the State, along with the notice of the proposed rules, the publication of that notice, and the filing of that notice with the Legislative Council. This office has also determined that 1) a written record of the agency's consideration of any comments to the proposed rules was made, 2) a regulatory analysis was issued, 3) a takings assessment was prepared, 4) a small entity regulatory analysis and an economic impact statement were prepared, and 5) the proposed rules are within the agency's statutory authority.

These administrative rules are in compliance with N.D.C.C. ch. 28-32 and are hereby approved as to their legality. Upon final adoption, these rules may be filed with the Legislative Council.

Sincerely,

Wayne Stenehjem  
Attorney General

amj

cc: Vonette J. Richter, Legislative Council